

REMARKS

Claims 30 to 57 are currently pending in the subject application, with claims 30 and 40 being independent.¹

Initially, we would like to make some clarifications to the file history. When this application was filed, a translation of the original German-language PCT application was filed, along with a substitute specification and amendments to claims 1 to 11. The substitute specification, with claim amendments, was not properly formatted. However, a follow-up preliminary amendment was filed on November 15, 2001, which took into account the claim amendments made in the improperly formatted substitute specification. These claims, namely 1 to 29, were acted on in the current Office Action. Since the original amendments to claims 1 to 11 were not properly made, we are canceling pending claims 1 to 29 and replacing them with new claims 30 to 57. These new claims are virtually identical to claims 1 to 29, except for correction of some minor typographical errors and an error in numbering of the claims. The new substitute specification is being filed to ensure that all prior amendments, including those made in the preliminary amendment of November 15, 2001 have been made and are of record, to the extent possible. In this regard, the amendments made via the substitute specification are to the original translation, and not the improperly formatted substitute specification.

Turning to the Office Action, claims 1 to 29 were rejected under 35 U.S.C. 102(e) as being anticipated by Farris et al. (US 202/0163999, hereinafter "Farris").

¹ The Examiner is urged to independently verify this recitation of the pending claims.

Claim 30 (prior claim 1) is directed to setting-up a connection in a mobile communication system for a user that has moved from one mobile radio network to a second mobile radio network. In contrast, Farris is directed to a speech recognition system that compares the results of analysis of received speech to name data for subscribers associated with a dialed number to determine if the input speech matches any of the names. Farris teaches using speech recognition in the area of fixed networks and is therefore not believed to be relevant to the claims.

More specifically, in the subject application, claim 30 (prior claim 1) recites “storing in at least one subscriber database, subscriber-oriented data for a subscriber registered in a home mobile radio network”. Claim 30 also recites “setting-up a connection for the subscriber with a mobile station using a mobile switching center in a visited mobile radio network, the mobile switching center being coupled to [[the]] another subscriber database.” Farris is not understood to disclose or to suggest either of these limitations. In contrast, Farris discloses a single network that includes a plurality of telephones that are connected to central office switches via telephone lines.² Farris also does not disclose that “the mobile switching center [is] coupled to another subscriber database”. Rather, Farris discloses a number of “subscriber stations” (a term for “telephones”) that are connected to a central switching station.

Farris is also not understood to disclose the concepts of a “home mobile radio network” and a “visited mobile radio network,” and certainly does not disclose that “when the subscriber moves in the visited mobile radio network, the subscriber number profile is also stored in the subscriber database and a service control point which translates the called party address into a new called party address.” In this regard, Farris cannot disclose these limitations of claim 1,

² Farris, paragraph 0097.

because Farris does not contain any mention of a visited mobile radio network. As shown in its Fig. 1, Farris discloses a fixed network. As there is only one network shown in Farris, Farris cannot be said to teach the concept of a user moving into a visited mobile radio network from another network (e.g., a home mobile radio network).

Farris also does not disclose a service control point which translates the called party address into a new called party address. In contrast, Farris discloses a speech recognition module that compares the results of the analysis of the received speech to name data for the subscribers associated with the dialed number to determine if the input speech matches any of the names.³ While Farris does utilize profile data associated with the identified subscriber to control services such as “distinctive call waiting tones,” a called party address is not translated into a new called party address when the subscriber moves in the visited mobile radio network.

For at least the reasons stated above, claim 30 is believed to be patentable over Farris.

Independent claim 40 (prior claim 11) contains limitations that are similar to those of claim 30. Therefore, claim 40 is also believed to be patentable for at least the same reasons as those described above regarding claim 30.

Each of the dependent claims is believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above

³ Farris, paragraph 0230, lines 1-11.

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may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

No fee is believed due, but please charge any fees, or credit any overpayment, to deposit account 06-1050, referencing Attorney Docket No. 12758-007001.

Respectfully submitted,

Date: _____

April 29, 2008



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